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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	09/285,934
Filing Date	April 2, 1999
First Named Inventor	Randy Ubillos
Group Art Unit	2173
Examiner Name	Cao H. Nguyen
Total Number of Pages in This Submission	9
Attorney Docket Number	4860P2292
	Technology Center 2100

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> -Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thomas M. Coester, Reg. No. 39,637 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	November 15, 2002

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on: November 15, 2002

Typed or printed name	Susan M. Ocegueda		
Signature		Date	November 15, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT **(\$)**

Complete if Known

Application Number	09/285,934
Filing Date	April 2, 1999
First Named Inventor	Randy Ubillos
Examiner Name	Cao H. Nguyen
Group/Art Unit	2173
Attorney Docket No.	4860P2292

METHOD OF PAYMENT (check one)

Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1001	740	2001	370	Utility filing fee
1002	330	2002	165	Design filing fee
1003	510	2003	255	Plant filing fee
1004	740	2004	370	Reissue filing fee
1005	160	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$)		

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		39	=	
	4	=	X	=

Multiple Dependent

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple Dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)		

*or number previously paid, if greater. For Reissues, see below

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
2053	130	2053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920 *	1804	920 * Requesting publication of SIR prior to Examiner action
1805	1,840 *	1805	1,840 * Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	400	2252	200 Extension for reply within second month
1253	920	2253	460 Extension for reply within third month
1254	1,440	2254	720 Extension for reply within fourth month
1255	1,960	2255	980 Extension for reply within fifth month
1404	320	2401	160 Notice of Appeal
1402	320	2402	160 Filing a brief in support of an appeal
1403	280	2403	140 Request for oral hearing
1451	1,510	2451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,280	2453	640 Petition to revive - unintentional
1501	1,280	2501	640 Utility issue fee (or reissue)
1502	460	2502	230 Design issue fee
1503	620	2503	310 Plant issue fee
1460	130	2460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	740	1809	370 Filing a submission after final rejection (37 CFR § 1.129(a))
1810	740	2810	370 For each additional invention to be examined (37 CFR § 1.129(b))
1801	740	2801	370 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)			

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$)**

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SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Thomas M. Coester	Registration No. (Attorney/Agent)	39,637	Telephone	(310) 207-3800
Signature	<i>Thomas Coester</i>			Date	11/15/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

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11-24-02
3.11.2002

Attorney's Docket No. 4860P2292

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Randy Ubillos) Examiner: Cao H. Nguyen
Serial No. 09/285,934) Art Group: 2173
Filed: April 2, 1999)
For: EDIT TO TAPE)

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed August 15, 2002, in connection with the above referenced patent application, the Applicant respectfully requests reconsideration in view of the following remarks.

REMARKS

In response to the above-identified Office Action, Applicant seeks reconsideration in light of the following remarks. In this response, no claims are amended, added or cancelled. Accordingly, claims 1- 39 are pending.

I. Claims Rejected Under 35 U.S.C. § 102(e)

Claims 1-39 stand rejected under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,426,778 issued to Valdez, Jr (hereinafter "Valdez"). The Applicant respectfully disagrees for the following reasons.

It is axiomatic that to anticipate a claim, each element of the claim must be disclosed in a single reference. Claim 1 includes the elements of an icon that represents a function to be